



STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

## License for Diversion and Use of Water

APPLICATION 23793

PERMIT 16428

LICENSE 10920

THIS IS TO CERTIFY, That

MCDOWELL VALLEY VINEYARDS, INC.  
3811 HIGHWAY 175, HOPLAND, CALIFORNIA 95449

HAVE *made proof as of* SEPTEMBER 7, 1976 *(the date of inspection)*  
to the satisfaction of the State Water Resources Control Board of a right to the use of the water of  
(1) AN UNNAMED STREAM AND (2) MCDOWELL CREEK IN MENDOCINO COUNTY

tributary to (1) MCDOWELL CREEK AND (2) DOOLEY CREEK THENCE RUSSIAN RIVER

for the purpose of IRRIGATION, FROST PROTECTION, STOCKWATERING AND RECREATIONAL USES  
under Permit 16428 of the Board and that the right to the use of this water has been perfected  
in accordance with the laws of California, the Regulations of the Board and the permit terms; that the  
priority of this right dates from MAY 28, 1971 and that the amount of water to which  
this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated  
purposes and shall not exceed TWENTY-FOUR HUNDREDTHS (0.24) CUBIC FOOT PER SECOND BY  
DIRECT DIVERSION, TO BE DIVERTED FROM MARCH 1 TO SEPTEMBER 1 OF EACH YEAR, AND  
TWO HUNDRED THIRTY-FIVE (235) ACRE-FEET PER ANNUM BY STORAGE, TO BE COLLECTED  
FROM NOVEMBER 1 OF EACH YEAR TO MAY 15 OF THE SUCCEEDING YEAR. THE EQUIVALENT OF  
SUCH CONTINUOUS FLOW ALLOWANCE FOR ANY 30-DAY PERIOD MAY BE DIVERTED IN A SHORTER  
TIME IF THERE BE NO INTERFERENCE WITH OTHER VESTED RIGHTS AND INSTREAM BENEFICIAL  
USES; AND PROVIDED FURTHER THAT ALL TERMS OR CONDITIONS PROTECTING INSTREAM BENEFICIAL  
USES BE OBSERVED. THE TOTAL AMOUNT OF WATER TO BE TAKEN FROM THE SOURCE  
BY DIRECT DIVERSION AND STORAGE UNDER THIS LICENSE AND LICENSE 7797 (APPLICATION  
16825) SHALL NOT EXCEED 341 ACRE-FEET PER WATER YEAR OF OCTOBER 1 TO SEPTEMBER 30  
THE MAXIMUM WITHDRAWAL IN ANY ONE YEAR FROM CRAWFORD RESERVOIR SHALL NOT EXCEED  
185 ACRE-FEET. THE MAXIMUM RATE OF DIVERSION TO OFFSTREAM STORAGE SHALL NOT EXCEED  
0.89 CUBIC FOOT PER SECOND.

THE POINTS OF DIVERSION OF SUCH WATER ARE LOCATED:

- (1) SOUTH 1,300 FEET AND EAST 1,905 FEET FROM NW CORNER OF SECTION 22, T13N, R11W  
MDB&M, BEING WITHIN SE1/4 OF NW1/4 OF SAID SECTION 22, AND
- (2) SOUTH 1,000 FEET AND WEST 450 FEET FROM E1/4 CORNER OF SECTION 22, T13N, R11W  
MDB&M, BEING WITHIN NE1/4 OF SE1/4 OF SAID SECTION 22.

A DESCRIPTION OF LANDS OR THE PLACE WHERE

*Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.*

*All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.*

*Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.*

*The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.*

*This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:*

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: JUNE 13 1979

STATE WATER RESOURCES CONTROL BOARD

*M. A. Lampo*  
Chief, Division of Water Rights

THIS LICENSE IS SUBJECT TO THE AGREEMENTS DATED NOVEMBER 19, 1971 AND JANUARY 6, 1972 BETWEEN LICENSEE AND ANNIE M. LA DELLE AND BETWEEN LICENSEE AND WALTER L. LA DELLE RESPECTIVELY, TO THE EXTENT SUCH AGREEMENTS COVER MATTERS WITHIN THE BOARD'S JURISDICTION.

THIS LICENSE IS SUBJECT TO THE CONTINUING AUTHORITY OF THE STATE WATER RESOURCES CONTROL BOARD TO ISSUE ANY APPROPRIATE ORDER TO INSURE THAT THE APPROPRIATION OF WATER FOR FROST PROTECTION UNDER THE LICENSE DOES NOT RESULT IN WASTE, UNREASONABLE USE, UNREASONABLE METHOD OF USE, OR UNREASONABLE METHOD OF DIVERSION OF WATER. ACTION BY THE BOARD WILL BE TAKEN ONLY AFTER NOTICE TO INTERESTED PARTIES AND OPPORTUNITY FOR HEARING.

THE QUANTITY OF WATER DIVERTED UNDER THIS LICENSE IS SUBJECT TO MODIFICATION BY THE STATE WATER RESOURCES CONTROL BOARD, IF, AFTER NOTICE TO THE LICENSEE AND AN OPPORTUNITY FOR HEARING, THE BOARD FINDS THAT SUCH MODIFICATION IS NECESSARY TO MEET WATER QUALITY OBJECTIVES IN WATER QUALITY CONTROL PLANS WHICH HAVE BEEN OR HEREAFTER MAY BE ESTABLISHED OR MODIFIED PURSUANT TO DIVISION 7 OF THE WATER CODE. NO ACTION WILL BE TAKEN PURSUANT TO THIS PARAGRAPH UNLESS THE BOARD FINDS THAT (1) ADEQUATE WASTE DISCHARGE REQUIREMENTS HAVE BEEN PRESCRIBED AND ARE IN EFFECT WITH RESPECT TO ALL WASTE DISCHARGES WHICH HAVE ANY SUBSTANTIAL EFFECT UPON WATER QUALITY IN THE AREA INVOLVED, AND (2) THE WATER QUALITY OBJECTIVES CANNOT BE ACHIEVED SOLELY THROUGH THE CONTROL OF WASTE DISCHARGES.